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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773.015	02/05/2004	David Bertrand	P10-1378 US	5336

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EXAMINER	
SUN, XIUQIN	

ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/773,015	BERTRAND, DAVID	
	Examiner	Art Unit	
	Xiuqin Sun	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *15 and 16* is/are allowed.

6)☒ Claim(s) *1-3,8 and 10* is/are rejected.

7)☒ Claim(s) *4-7,9 and 11-14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Susan, Pls initial Patents Abstracts of JP in EDS.

Dirke W.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02/05/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 4-7, 11, 13 and 14 are objected to because of the following informalities:

α is used in claims 4-7, 11, 13 and 14 with both superscript (α°) and subscript (α_0) while in specification pages 10, 11 etc. α° is used, besides α_0 that is also used in Figure 2a and 2b. Please advise whether superscript or subscript is to be used in association with α. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Giustino (U.S. Pub. No. 20050005692).

Giustino teaches a method of determining at least one characteristic of a tire from the three components of a resultant of forces which are exerted by the road on the contact area of a tire (see Abstract), the method comprising the steps of obtaining at

least two measurements of circumferential extension or contraction in at least one sidewall of the tire at two fixed points in space, which points are situated at different azimuths along the circumference (sections 0045, 0048, 0051, 0053 and 0054); and calculating said characteristic from said at least two measurements (sections 0006, 0007, 0052 and 0056-0078).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giustino (U.S. Pub. No. 20050005692) in view of Caretta et al. (U.S. Pat. No. 6763288).

Giustino teaches the method that includes the subject matter discussed above. Giustino does not mention explicitly: the circumferential contraction or extension of the sidewalls is estimated by measuring the distance between the cords of the carcass ply in the sidewalls; a camber angle is estimated from a detected difference in load supported by each of the sidewalls on the basis of measurements of circumferential extension or contraction.

Caretta et al. teach a method of measuring deformation of vehicle tires, including the steps of: estimating the circumferential contraction or extension of the tire's

sidewalls by measuring the distance between the cords of the carcass ply in the sidewalls (col. 5, lines 25-45; col. 7, lines 45-67; col. 8, lines 1-46 and col. 10, lines 17-23); estimating a camber angle using the relationship between the camber angle and the detected difference in load supported by each of the sidewalls on the basis of measurements of circumferential deformation (col. 2, lines 49-67; col. 3, lines 1-7; col. 17, lines 9-22 and lines 36-44 and col. 18, lines 1-4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teaching of Caretta et al. in the invention of Giustino in order to accurately measure the circumferential deformation of the sidewalls during certain special events and conditions (Caretta et al., col. 3, lines 32-50).

6. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giustino (U.S. Pub. No. 20050005692) in view of Poulbot et al. (U.S. Pat. No. 6666079).

Giustino teaches the method that includes the subject matter discussed above. Giustino does not mention explicitly: said circumferential contraction or extension of the sidewalls is estimated by measuring the distance between wires forming a sensor which measures a variation in capacitance linked with the distance separating two electrodes; at least three measurements of circumferential extension or contraction in a single sidewall of the tire are used.

Poulbot et al. teach a method of measuring deformation of vehicle tires, including estimating circumferential deformation of the sidewalls by measuring the distance between wires forming a sensor which measures a variation in capacitance linked with the distance separating two electrodes (col. 6, lines 31-63).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teaching of Poulbot et al. into the invention of Giustino in order to measure the circumferential deformation of the sidewalls using piezoelectric- or piezoresistive-type force sensors (Poulbot et al., col. 2, lines 25-29 and col. 4, lines 4-11).

The teaching of Poulbot et al. further includes that: at least three measurements of circumferential extension or contraction in a single sidewall of the tire are used (col. 7, lines 24-38).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the teaching of Poulbot et al. into the invention of Giustino in order to determine the components of forces exerted on the tire more precisely (Poulbot et al., col. 2, lines 25-29 and col. 4, lines 4-11).

Allowable Subject Matter

7. Claims 4-7, 9 and 11-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15 and 16 are allowed.

Reasons for Allowance

8. The following is an examiner's statement of reasons for allowance:

The primary reason for the allowance of claim 4 is the inclusion of the limitation that the measurement azimuths are selected to be symmetrical with respect to the azimuth of the center of the contact area (180°+ α° and 180°-α°), with α not equal to α_o, where α_o is the azimuth at the entry of the contact area, V_1^1 and V_2^1 being the values measured at these azimuths on the first sidewall and V_1^2 and V_2^2 being the values measured at these azimuths on the second sidewall, an estimate of the component Fz is provided by $f_Z(a_1V_1^1+a_2V_2^1+b_1V_1^2+b_2V_2^2)$, where a_1, a_2, b_1 and b_2 are positive real coefficients and f_Z is a monotonic continuous function. It is this limitation found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 5 is the inclusion of the limitation that the measurement azimuths are selected to be symmetrical with respect to the azimuth of the center of the contact area (180°+ α° and 180°-α°), with α not equal to α_o, where α_o is the azimuth at the entry of the contact area, V_1^1 and V_2^1 being the values measured at these azimuths on the first sidewall and V_1^2 and V_2^2 being the values measured at these azimuths on the second sidewall, an estimate of the component Fx is provided by $f_x(c_1V_1^1+c_2V_2^1+d_1V_1^2+d_2V_2^2)$, where c_1, c_2, d_1 and d_2 are positive real coefficients and fx is a monotonic continuous function. It is this limitation found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 6 is the inclusion of the limitation that the measurement azimuths are selected to be symmetrical with respect to the azimuth

of the center of the contact area (180°+ α° and 180°-α°), with α not equal to α_o, where α_o is the azimuth at the entry of the contact area, V_1^1 and V_2^1 being the values measured at these azimuths on the first sidewall and V_1^2 and V_2^2 being the values measured at these azimuths on the second sidewall, an estimate of the component Fy of the applied force is provided by $f_y(e_1V_1^1+e_2V_2^1+f_1V_1^2+f_2V_2^2)$, where e_1, e_2, f_1 and f_2 are positive real coefficients and fy is a monotonic continuous function. It is this limitation found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 7 is the inclusion of the limitation that the measurement azimuths are selected to be symmetrical with respect to the azimuth of the center of the contact area (180°+ α° and 180°-α°), with α not equal to α_o, where α_o is the azimuth at the entry of the contact area, V_1^1 and V_2^1 being the values measured at these azimuths on the first sidewall and V_1^2 and V_2^2 being the values measured at these azimuths on the second sidewall, an estimate of the self-alignment torque N is provided by $f_n(g_1V_1^1+g_2V_2^1+h_1V_1^2+h_2V_2^2)$, where g_1, g_2, h_1 and h_2 are positive real coefficients and fn is a monotonic continuous function. It is this limitation found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 9 is the inclusion of the claimed method step of obtaining measurements of circumferential extension or contraction and determining a contribution due to the pneumatic behavior separate from a contribution due to the structural behavior. It is this limitation found in the claim, as it is claimed in

the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 11 is the inclusion of the limitation that the measurement azimuths are selected to be symmetrical with respect to the azimuth of the center of the contact area (180°+ α° and 180°-α°), with α not equal to α_o, where α_o is the azimuth at the entry of the contact area, V_1 and V_2 being the values measured at these azimuths other azimuths, an estimate of Fx is provided by $f_x(r_2V_2 - r_1V_1)$, where r_1, r_2 are positive real coefficients and fx is a monotonic continuous function. It is this limitation found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claims 12-14 is the inclusion of the limitation that at least three fixed points in space are used, which points are defined such that: a first point corresponds to one of: the azimuth of the center of the contact area; and, the azimuth of the point opposite to the contact area; a second point and third point are symmetrically located with respect to a vertical plane passing through the center of the contact area. It is these this limitation found in each of the claims, as it is claimed in the combination that have not been found, taught or suggested by the prior art of record, which make these claims allowable over the prior art.

The primary reason for the allowance of claims 15 and 16 is the inclusion of the claimed method steps of: determining measurement azimuths and collecting values of circumferential extension of at least one sidewall during varied stresses on the tire which

stresses are selected so span a full range in which evaluation of the at least one selected characteristic will be permitted in normal use, the selected stresses giving rise to all the couplings liable to be encountered during normal use; obtaining values of circumferential extension with a first measurement means and values of the at least one selected characteristic associated with circumferential extension with a second measurement means in order to form a training base. It is these limitations found in each of the claims, as they are claimed in the combination that have not been found, taught or suggested by the prior art of record, which make these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiuqin Sun whose telephone number is (571)272-2280. The examiner can normally be reached on 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571)272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Xiuqin Sun
Examiner
Art Unit 2863

XS
March 14, 2005

MICHAEL NGHIEM
PRIMARY EXAMINER